

COMMISSION FOR TEACHER PREPARATION AND LICENSING

OFFICE OF THE EXECUTIVE SECRETARY

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No. 76-7720

TO: All Individuals and Groups Interested in the Activities
of the Commission for Teacher Preparation and Licensing

FROM: Peter L. LoPresti, Executive Secretary *PL*

SUBJECT: Title 5 Regulations, California Administrative Code,
Examination Appeal Procedure

The Commission for Teacher Preparation and Licensing has approved and adopted the following regulations in Title 5 of the California Administrative Code relating to Examination Appeal Procedure. These regulations have also been approved by the California State Board of Education.

Adopts new Sections 5941 through 5941.5 as follows:

5941. Examination Standards and Procedures. Examinations to meet one of the requirements for a credential shall be adopted and passing score standards shall be established by the Commission. A list of the adopted examinations and passing scores will be made available upon request to the Commission. The standard applicable to an examination score is the standard established by the Commission for the year during which the examination is taken. Passing scores shall be processed by the Commission at the time of application for a credential requiring such examination. Scores will remain valid and may be used for certification purposes for two years following the date of the examination on which the score was achieved.

5941.1. Appeal Upon Failure to Pass Subject Matter Examination. The Commission will consider appeals presented in writing by applicants who have failed to attain the passing score standard established by the Commission when the appellant can verify evidence of meeting the appeal standards for the appropriate subject-matter examination described in either (a) or (b). If the criteria specified in (a) or (b) cannot be met, the appellant may request an oral examination conducted by an examination board as specified in (c).

(a) For the general subject-matter examination the appellant shall provide evidence of meeting (1), (2), and (3):

(1) the score is at least equivalent to the 25th percentile among California candidates at the same test administration;

(2) the candidate has either:

(A) an overall grade point average of 3.0, or

(B) an excess score in one area equivalent to at least twice the shortage in the area(s) in question.

(3) a grade point average of 2.5 has been earned in at least 12 semester hours of course work in the area(s) in question.

(b) For the single subject-matter examination, the appellant shall be able to provide evidence of meeting (1), (2), and (3):

(1) the score is at least equivalent to the 40th percentile among California candidates at the same test administration provided that at least 100 California candidates take the examination; if fewer than 100 California candidates take the examination the score must be equivalent to the 40th percentile among national examinees at that test administration:

(2) the candidate has an overall grade-point average of 2.5;

(3) the candidate has a grade-point average of 3.0 in at least 18 semester hours of course work in the subject-matter area for which the examination is to be waived.

(c) Applicants who fail a subject-matter examination and do not meet the standards of (a) or (b) may appeal by requesting to be examined by a Board of Examiners. Such an appeal shall be in writing and shall include all of the following:

(1) verification that appellant has failed the examination and does not meet the standards of (a) or (b);

(2) agreement by the appellant to pay the costs for impaneling and operating the Board of Examiners.

5941.2. Board of Examiners. In response to appeals filed in accordance with Section 5941.1(c), the Commission shall appoint Boards of Examiners as appropriate, each consisting of not more than six persons drawn equally from practicing public school teachers and full-time higher education faculty in the subjects or field(s) in which the candidate wishes to be examined. All examinations held by such Boards shall be executive and closed sessions with only Board members, Commission members and staff, and the applicant permitted to attend. The recommendations of each Board of Examiners shall be in writing. A copy of such recommendations shall be transmitted to the Commission, and the Commission will notify applicants of its decision by registered mail within 30 days after the Commission considers the recommendations of the Board.

5941.3. Members on the Board of Examiners. The Commission shall consider the following criteria when appointing members to a Board of Examiners:

- (a) current full-time employment;
- (b) major in the subject area to be examined;
- (c) three years of full-time teaching experience in the subject area of the examination;
- (d) bilingual or cross-cultural experience or other background and expertise appropriate to the specific needs of applicants.

5941.4. Oral Examination. The oral examination shall be given at a location or locations designated by the Commission. No more than two such examinations shall be scheduled in one year for each subject matter area. This oral examination shall cover the substance specified in the adopted scope and content statement appropriate to the subject-matter area being examined, and shall be scheduled for no longer than three hours.

5941.5. Board of Examiners' Fee. The fee shall be based on actual costs to assemble the Board of Examiners. A maximum fee of \$250 must be paid prior to the scheduling of the examination. After actual costs have been determined, a refund of any unearned portion of the fee will be paid to the applicant. These costs may be prorated between two candidates when two candidates are to be examined in one day, and among all candidates taking the same examination when the examination session lasts longer than one day.